

Clive Stafford Smith — Still campaigning, still lying

Clive Stafford Smith claims to have found new evidence that his client Krishna Maharaj is innocent. Don't believe the hype.



Clive Stafford Smith

According to the latest update from Reprive on the case of Krishna Maharaj: “Various witnesses, including at least one former US police officer, admit framing Briton in prison for murder”.

If you are not familiar with the case of Krishna Maharaj, you can find a recent article [here](#). Those with more time and a yearning for hard facts may like to read [the opinion](#) of the Supreme Court of Florida.

In recent weeks we in Britain have seen the truth about Hillsborough come out, and most shockingly the case of plebgate in which police officers conspired to fabricate evidence against a Member of the Government. Doubtless American, Canadian, and Nigerian police watchers can give chapter and verse of similar duplicity, but if the police are never to be trusted, it should not be forgotten that a lot of people behind bars are not exactly paragons of virtue.

Although Clive Stafford Smith (or whoever wrote this drivel) appears to make out a strong case, it is one that will not stand up to the slightest critical scrutiny, indeed most of the claims therein can be dismissed without further consideration, like the claim that “Kris’ innocence was not an issue that could lead to his release.”

This is Stafford Smith’s somewhat bizarre interpretation of *Herrera v Collins* (1993). For those interested in facts rather than his fantasy, the text of this judgment can be found [here](#).

The claim that Neville Butler – the key prosecution witness against Maharaj – failed a lie detector test is neither here nor there; there is in fact no such thing as a lie detector. There are two types of devices that are passed off as such: the traditional polygraph and the voice stress analyser. Both can be cheated, and both can indict the innocent. [Jeremy Barber](#) passed a lie detector test. So what?

We are told that Maharaj can now produce six alibi witnesses to the effect that he could not have committed the crime, yet at his trial he could not produce one, not even himself. The reason for this is not far to seek, if he had taken the stand, Maharaj would have had to explain not simply where he was at the time the victims were murdered but other things, like what happened to his gun.



Convicted double murderer Krishna Maharaj, one of those rare birds, a rich man on death row. Although his sentence was later reduced to life imprisonment, his convictions for killing father and son Derrick Moo Young and Duane Young was not overturned.

At the end of the day, this latest report on Maharaj is smoke and mirrors; if he is granted any sort of hearing, he will rightly be given short shrift by the court.

Another Reprieve lost cause, Lindsay Sandiford, is – like Maharaj – no longer facing the death penalty; instead prosecutors have demanded a 15 year sentence.

According to a so-called expert witness found by Reprieve, “Lindsay Sandiford was subjected to coercion by one or more parties over a period of time”. As usual with Reprieve, the truth is somewhat different. Sandiford pointed the finger at another British tourist, a young mother who looks every inch a major drug baron. Not. This woman was sentenced to a year in prison for failing to report a crime. Sandiford can expect a lot more, but if nothing else she can take comfort from Clive Stafford Smith believing in her virtue. And in the tooth fairy.

[The above op-ed was [first published](#) December 21, 2012 originally with one new photograph. The linked *recent article* in the third paragraph above has been replaced by a later article.]